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Attorneys for Complainant

**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. R-1983

MAGDI F. GIRGIS
14657 Plum Street
Westminister, California 92683

Respiratory Care Practitioner License No. 17247

Respondent.

**STIPULATED SETTLEMENT AND
ORDER SUSPENDING
RESPIRATORY CARE
PRACTITIONER LICENSE**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory
Care Board of California. She brought this action solely in her official capacity and is represented
in this matter by Bill Lockyer, Attorney General of the State of California, by Tan N. Tran,
Deputy Attorney General.

2. Respondent MAGDI F. GIRGIS (Respondent) is represented by Albert F.
Coombes, whose address is 15915 Ventura Blvd., Penthouse 4, Encino, CA 91436.

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4. Accusation No. R-1983 was filed before the Respiratory Care Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 29, 2005. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. R-1983 is attached as Exhibit A and incorporated herein by reference.

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. R-1983. Respondent has also carefully read, has discussed with counsel and fully understands the effects of this Stipulated Settlement.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. R-1983, and further, agrees that he has thereby subjected his licensed to disciplinary action.

9. Respondent understands that by signing this stipulation, he enables the Board to issue an order accepting the suspension of his license without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Respiratory Care Board. Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory Care Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Order Suspending License shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Order Suspending License, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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ORDER

13. IT IS HEREBY ORDERED THAT Respiratory Care Practitioner License No. 17247 issued to Respondent MAGDI F. GIRGIS is suspended for a period of three (3) years and accepted by the Board.

14. The suspension of Respondent's license and the acceptance of the suspension by the board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

15. Respondent shall lose all rights and privileges as a respiratory care practitioner in California as of the effective date of the Board's Decision and Order.

16. Respondent shall cause to be delivered to the Board both his wall and pocket license on or before the effective date of the Decision and Order.

17. Respondent understands and agrees that he may not reapply for licensure or petition for reinstatement for at least three (3) years from the effective date of the Decision and Order. Respondent further understands and agrees that if he ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. R-1983 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Order Suspending License. I understand the stipulation and the effect it will have on my Respiratory Care Practitioner License. I enter into this Stipulated Settlement and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Respiratory Care Board.

DATED: June 26, 2006

Original signed by:
MAGDI F. GIRGIS
Respondent

I have fully read and have discussed with Respondent MAGDI F. GIRGIS the terms and conditions and other matters of the Stipulated Settlement and Order Suspending License.

Original signed by:
Albert F. Coombes
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

DATED: June 26, 2006

BILL LOCKYER, Attorney General
of the State of California

Original signed by:
TAN N. TRAN
Deputy Attorney General

Attorneys for Complainant

**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

MAGDI F. GIRGIS
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Westminister, California 92683

Respiratory Care Practitioner License No. 17247

Respondent.

Case No. R-1983

**STIPULATED SETTLEMENT AND
ORDER SUSPENDING LICENSE**

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 10, 2006.

It is so ORDERED July 31, 2006.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT
RCB PRESIDENT
FOR THE RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS